Nantucket County - 20/20 Perfect Vision i2 Document Detail Report

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Doc#	Document Type	Town	Book/Page	File Date	Consideration
59865	AMENDMENT			03/12/1993	0.00

Property-Street Address and/or Description

Noted on Cert 13401 WASHING POND HOMEOWNERS ASSOCIATION TRUST

Grantors

SIMMONS HARDWICK-TR, BURNS MICHAEL R-TR, WASHING POND HOMEOWNERS ASSN TRUST

Grantees

References-Book/Pg Description Recorded Year

Registered Land Certificate(s)-Cert# Book/Pg

DOCUMENT NO. 059865

DOCUMENT NO. 059865

Trust Amendment

Nantucket Registry District

MAR 12 1993

RECEIVED FOR REGISTRATION

10 O'CLOCK 40 m A M

NOTED ON CERTIFICATE NO. 13401

IN REGISTRATION BOOK ____ PAGE ____

ATTEST Sandra M. Chadwick

ASST RECORDER

THEODORE L. TILLOTSON, P.C.
One Freedom Square
P.O. Box 1530
Nantucket, MA 02554-1530

this Declaration of Trust shall be permitted which does not conform to the terms of the subdivision's approval (File No. 3223) or which will change the enforcement rights of the Nantucket Planning Board as set forth in Article VII, Section 3 above, without the prior written consent of the Planning Board in each instance.

5. Amend Article VIII, Section 2, by striking said Section 2 in its entirety and inserting in place thereof the following:

"The Trust hereby created shall not be terminated without the approval of not less than seventy-five (75%) percent of the beneficial interest hereunder and the written consent of the Planning Board of Nantucket."

Except as hereby amended, the Washing Pond Association Trust Declaration of Trust remains in full force and effect as registered in accordance with the terms thereof.

WITNESS our hands and seals this 26th day of February, 1993.

HARDWICK SIMMONS

MICHAEL R. BURNS

STATE OF NEW YORK

New York, ss. February 26, 1993

Then personally appeared the above named Hardwick Simmons and acknowledged the foregoing instrument to be his free act and deed, before me

Notary Public

My Commission Expres:

LEE ANN CHEBBA
Notary Public, State of New York
No. 24-01CH4892995
Qualified in Kings County
Commission Expires April 13, 1993

LEE ANN CHEBBA NOTARY PUBLIC STATE OF NEW YORK

AMENDMENT NUMBER 1
WASHING POND HOMEOWNERS ASSOCIATION TRUST

We, HARDWICK SIMMONS and MICHAEL R. BURNS, TRUSTEES of WASHING POND HOMEOWNERS ASSOCIATION TRUST, under Declaration of Trust dated January 3, 1993, registered with Nantucket Registry District of the Land Court as Document No. 59354, noted on Certificate of Title No. 13401, in accordance with the provisions of ARTICLE VIII, Section 1, having the written consent of Lot Owners holding in excess of seventy-five (75%) percent of the beneficial interest in said Trust hereby amend said Trust in the following particulars:

1. Amend ARTICLE V, Section 6A by striking the word "establesh" from the fifth line thereof and inserting the word "establish" in place thereof.

2. Amend Article VII, Section 1 by striking the first paragraph thereof and inserting in place thereof the following:

> "The Trustees shall create and maintain a common area maintenance fund to pay for the maintenance and repair of Deacon's Way and Washing Pond Road, all catch basins, drainage structures and lighting servicing Deacon's Way and Washing Pond Road, all landscaping located upon the common areas and all other common property of the Trust."

3. Amend Article VII, Section 2 inserting the word "landscaping" in the second sentence thereof between the words "lighting" and "and" so that said second sentence will read:

> "Thereafter the Trustees will determine the funds necessary to maintain the roadways, catch basins, lighting, landscaping and the common property of the Trust."

4. Amend Article VIII, Section 1 by striking said Section 1 in its entirety and inserting in place thereof the following:

> The Trustees, with the consent in writing of Lot Owners entitled to not less than seventy-five percent (75%) of the beneficial interest hereunder, may at any time and from time to time amend, alter, add to, or change this Declaration of Trust in any manner or to any extent; the Trustees first, however, being duly indemnified to their reasonable satisfaction against outstanding obligations and liabilities; provided always, however, that no such amendment, alteration, addition or change according to the purport of which the percentage of the beneficial interest of any Lot Owner would be altered shall be effective without the prior written consent of said Lot Owner and any mortgagee of said Lot. Further, no amendment or change to